

**Memorandum of Understanding  
Between  
The U.S. Department of Energy  
and  
The Utah Department of Transportation**

**Purpose**

The purpose of this Memorandum of Understanding (MOU) between the U.S. Department of Energy (DOE) and the Utah Department of Transportation (UDOT) is to describe the roles and responsibilities the signatory agencies assume in the long-term management of the radiologically contaminated material within the right-of-way and embankment areas (legally described in Attachment 1 **Property Description**) of Utah State Highways 191 and 666 within the Monticello city limits. This MOU is required to fully comply with DOE's Supplemental Standards Application for Highways 191 and 666, and DOE's Long-Term Surveillance and Maintenance Plan (LTSM) for the supplemental standards areas.

**Background**

In accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 as amended by the Superfund Amendments and Reauthorization Act of 1986, DOE has undertaken remedial action of radiologically contaminated material associated with the former federally-owned uranium mill at Monticello, Utah. The DOE, U.S. Environmental Protection Agency (EPA), and the State of Utah Department of Environmental Quality (UDEQ) negotiated a Federal Facilities Agreement (FFA) in 1988 that established roles and responsibilities of each with regard to remediation of the Monticello Vicinity Properties Site Project (MVP). In 1989, the EPA and DOE, with UDEQ concurrence, further agreed to a Record of Decision (ROD) that stipulates the remedial actions for the MVP Project and allows for the application of supplemental standards under Title 40 *U.S. Code of Federal Regulations*, Part 192.22 to areas where institutional controls can be used to restrict access and control land use to prevent future exposures. On the basis of health risk considerations and remedial costs, which outweigh the resulting environmental benefits of remedial action, the DOE has recommended that supplemental standards be implemented for Highways 191 and 666 as described in Attachment 1.

The Monticello mill and ore-buying station operated under private ownership from 1940 to 1946 and as a U.S. Atomic Energy Commission (AEC) site from 1948 to 1962. Between 1961 and 1975, the AEC dismantled the mill, buried contaminated material, covered the tailings piles, and reclaimed the site. Some radiologically contaminated material was dispersed over areas adjoining the millsite by ore transportation and storage, wind and water transport, and human activity. Radiologically contaminated material may have been used for fill within the Highway 191 and/or

666 rights-of-way or adjoining lands. Although DOE has no specific knowledge of such use, anecdotal information and subsequent site characterization efforts support the conclusion that radiologically contaminated material may be found in the rights-of-way in the future.

Since 1985, in compliance with CERCLA, the FFA, and the ROD, DOE has undertaken substantial remedial actions to remove and transport radiologically contaminated materials to an approved disposal site and restore properties where removals have occurred. DOE's current schedule, as defined in the 1997 Monticello Site Management Plan, indicates construction completion by November 30, 1998. However, through the application of supplemental standards, DOE will not remove material from the Highways 191 and 666 rights-of-way, and therefore will provide for future radiological characterization and remediation, if needed, of material left in the rights-of-way.

### **Property Description**

The Highways 191 and 666 rights-of-way within the Monticello city limits are legally described in Attachment 1 and are referred to in this document as properties. For the purposes of this MOU, the legal description for the properties defines the supplemental standards area.

In general terms, the supplemental standards areas are defined as the Highway 191 right-of-way from reference point 71 (approximate) to reference point 73 (approximate) and Highway 666 from the intersection with Highway 191 eastward 1.8 miles (approximate).

### **Authorities**

DOE has authority to enter into this MOU through 42 USC 7256(a), *Memorandums of Understanding*. UDOT enters into this MOU under the authorities created in the Interlocal Cooperation Act (Utah Code Annotated 11-13-1, et seq.). Any future remediation will be governed by the 1988 FFA, to which DOE, EPA, and UDEQ are signatory, in accordance with CERCLA and the applicable requirements stipulated in the 1989 ROD, also to which DOE, EPA, and UDEQ are signatory. DOE's authority to accomplish future remedial commitments is always subject to Congressional authorization and appropriations. DOE will demonstrate a best effort by diligently requesting and otherwise pursuing the funding necessary to meet the terms of the MOU and LTSM Plan.

### **Responsibilities**

A summary of UDOT's and DOE's responsibilities under this MOU are provided below. A more detailed listing of the responsibilities is provided in the document entitled *Long-Term Surveillance and Maintenance Plan for Supplemental Standards*. The LTSM Plan, and any amendments thereto, are hereby incorporated by reference into this MOU.

## *DOE*

- DOE will designate a point of contact (DOE representative) for all matters pertaining to the implementation of this MOU.
- DOE will annotate the property deeds to ensure notification and warning to potential future owners that these properties possess radiological contamination. Annotations will be filed with the San Juan County Recorder. Radiological as-builts will be an exhibit and attached to the deed annotation.
- DOE will construct a Temporary Storage Facility (TSF) either near the Monticello repository site or the Monticello Millsite to manage radiologically contaminated materials generated under the LTSM Program.
- DOE will annually review UDOT's Statewide Transportation Improvement Plan and Spot Improvements Plan to determine if there are planned projects that affect any portion of the properties where potential radiologically contaminated material may be present and that may require remedial design and action by DOE. DOE will cooperate with UDOT to render remedial action assistance, if necessary, and will plan it to be compatible with UDOT's project schedule. Although DOE will demonstrate a best effort by diligently requesting and otherwise pursuing the funding for remedial actions, the granting of such funds will be subject to Congressional approval and authorization.
- DOE will notify the city of Monticello and UDEQ of UDOT's planned "major excavations"(as defined in the LTSM Plan) 2 weeks before they are to occur .
- DOE will conduct regular surveillances and inspections of the supplemental standards locations in accordance with DOE's LTSM Plan.
- DOE will make all notifications required by the FFA, CERCLA, and applicable DOE orders for activities pursuant to this MOU.
- DOE will arrange a meeting annually with the UDOT point of contact to review the status of UDOT's activities covered by this MOU.

## *UDOT*

- UDOT will designate the Monticello Station Supervisor as the point of contact for all matters pertaining to the implementation of this MOU.
- UDOT will prohibit the construction of permanent habitable structures in the rights-of-way and will ensure that the rights-of-way are used only for their intended purpose.

- UDOT will permit DOE to annotate the supplemental standards property deeds with the San Juan County Recorder.
- On an annual basis, UDOT will provide DOE with the Statewide Transportation Improvement Plan and Spot Improvement Plan (STIP) so that DOE can determine if major excavations will occur within the supplemental standards locations (by UDOT and other entities). Should UDOT not submit a copy of the STIP to DOE, DOE will request a copy which UDOT will supply. The list of major excavations will include the location, extent, and dates of the planned disturbance. In addition to this initial notification, UDOT will notify DOE a minimum of 2 weeks before major excavations are to begin. UDOT will make the notification regardless of who is performing the work (e.g., contractor or utility company). Notice will be provided in writing to the DOE representative.
- UDOT will notify DOE a minimum of 1 day before "minor excavations" are conducted. "Minor excavations" are those that can be made with hand tools or hand-operated mechanical tools (e.g., post-hole augers).
- In the event of a major or minor unplanned (emergency) excavation on the supplemental standards locations, either by UDOT or others, UDOT will provide verbal notice to DOE by the next business day of discovery of the excavation, followed by written notice within 5 working days.
- Because other entities such as utility companies must obtain a permit from UDOT prior to excavating in the highway rights-of-way, UDOT will be responsible for contacting DOE by the next business day when an excavation permit application is received or issued.
- For all contracted work occurring on the supplemental standards locations, UDOT will keep DOE apprised of pre-construction schedules, including the design, bid, and construction start of projects.
- UDOT will cooperate with DOE to plan and implement remedial actions that DOE determines to be necessary on the supplemental standards locations. Remedial actions may consist of radiological assessments and remedial action designs, which will be developed by DOE and approved by UDEQ, Division of Radiation Control; remedial actions will be implemented through a Remedial Action Agreement between DOE and UDOT.
- UDOT will coordinate with the DOE representative and the city of Monticello regarding transportation of radiologically contaminated materials to the TSF.
- UDOT will attend an annual meeting with DOE to review the status of this MOU.

### **Public Information**

Subject to the Freedom of Information Act (5 USC 552), decisions as to the disclosure of information to the public regarding services and activities referenced in this MOU shall be made by DOE or UDOT after consultation with representatives from the other agency.

### **Rights of Parties**

Under CERCLA, DOE is responsible for remediating the Monticello properties contaminated with radioactive materials as a result of the uranium milling and mining activities that occurred prior to 1962. The remedial action recommended by DOE for the properties subject to this MOU is to apply supplemental standards and manage long-term surveillance and monitoring in accordance with the LTSM Plan. Nothing in this MOU shall make UDOT liable for any injuries or damages to persons or property resulting from the acts or omissions of DOE while carrying out its responsibilities under the LTSM Plan or this MOU.

### **Effective Dates and Applicability**

This MOU takes effect upon the later date of signature by UDOT or DOE and remains in effect until amended or terminated pursuant to the clause entitled Amendment and Termination. The MOU is binding upon the signatories, together with their administrative officers, agents, and employees, notwithstanding any change in administration or governance of the signatories.

### **Amendment and Termination**

This MOU may be amended by written agreement of the parties. This MOU may be terminated by mutual written agreement of the parties or by either party upon 30-day written notice to the other party.

In the event of termination of this MOU, representatives of DOE, EPA, UDEQ, UDOT, and the city of Monticello will meet to discuss future management of the supplemental standards locations covered by this MOU. Termination of this MOU will not relieve DOE of its responsibilities under CERCLA.

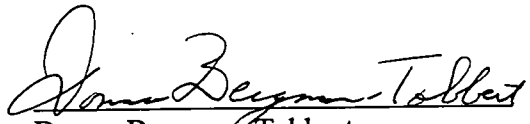
### **Reservation of Rights**

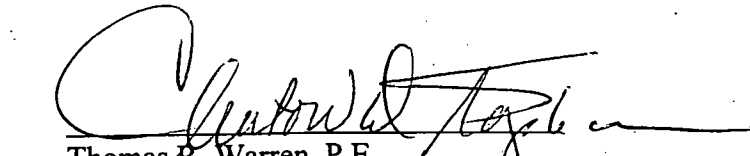
Nothing in this MOU will abridge or supersede the rights or obligations of either signatory under CERCLA, the FFA, or other applicable Federal and State laws.

**Anti-Deficiency Act**

Obligation of funds by DOE under terms of this MOU shall be subject to the availability of appropriated funds and no provision herein shall be interpreted to require the obligation or payment of fund in violation of the Anti-Deficiency Act, 31 USC 1341.

It is therefore agreed:

  
Donna Bergman-Tabbert  
DOE-Manager, Grand Junction Office

  
Thomas R. Warren, P.E.  
UDOT Executive Director

7-27-99  
Date

8-5-99  
Date

E0390800.MOU

# **Attachment 1**

## **Property Description**

The Highways 191 and 666 rights-of-way within the Monticello city limits are legally described below. In general terms, the supplemental standards areas are defined as the Highway 191 right-of-way from reference point 71 (approximate) to reference point 73 (approximate) and Highway 666 from the intersection with Highway 191 eastward 1.8 miles (approximate). For the purposes of this MOU, the legal descriptions below define the supplemental standards area.

Highway 191 North, Parcel A  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

A parcel of land for Highway 191 right-of-way (also known as North Main Street, Monticello, Utah) within, more or less, the SE  $\frac{1}{4}$  of Section 25, T33S, R23E, Salt Lake Base and Meridian, San Juan County, Utah; said parcel described as follows: beginning at the southwest corner of Block I, Monticello Townsite thence south  $00^{\circ}49'$  west, 41.25 feet; thence north  $89^{\circ}11'$  west, 99.0 feet; thence north  $00^{\circ}49'$  east, 41.25 feet to the southeast corner of Block J, Monticello Townsite; thence north  $00^{\circ}49'$  east, 2,670.5 feet; thence south  $88^{\circ}56'$  east, 99.0 feet; thence south  $00^{\circ}49'$  west, 2,670.1 feet to the point of beginning.

Highway 191 North, Parcel B  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

Land for Highway known as Project Number F-7 situated in the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 25, T33S, R23E, S.L.M. The boundaries of said tract of land are described as follows:

Beginning at a point on the east boundary line of the grantor's land, which point is 100 feet radially distant westerly from the center line of survey of said project at Engineer's Station 49+47, said point also being approximately 432 feet south and approximately 404 feet west from the NE corner of said NW  $\frac{1}{4}$  of Section 25; thence south 68 feet, more or less, along said east boundary line to the northwesterly right-of-way line of the present road; thence southwesterly 60 feet, more or less, along said present road right-of-way, line to a point 100 feet radially distant from said center line of survey; thence northerly 122.1 feet along the arc of a 3,919.8 foot radius curve to the right to the point of beginning, as shown on the official map of said project on file in the office of the State Road Commission of Utah. Above described tract of land contains 0.03 acre, more or less.

Highway 191 North, Parcel C  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

Land for Highway known as Project Number F-7 situated in the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 25, T33S, R23E, S.L.M. The boundaries of said tract of land are described as follows:

Beginning at the intersection of the south boundary line of said SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 25 and the centerline of survey of said project at Engineer's Station 27+53, which point is approximately 418 feet west along said south boundary line from the SE corner of said SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 25; thence east 45.0 feet to the present right-of-way line; thence northerly 96 feet along said right-of-way line and present right-of-way fence; thence north  $0^{\circ}05'$  west 883 feet, more or less, to the north boundary line of said grantor's land; thence southwesterly 68 feet, more or less, along said northerly boundary line and boundary line produced, to the center of the present highway; thence southerly 963 feet, more or less, along said center line of present highway, to the point of beginning as shown on the official map of said project on file in the office of the State Road Commission of Utah. Above described tract of land contains 1.25 acres, more or less, of which 0.81 acre, more or less, is now occupied by the existing highway. Balance 0.44 acre, more or less.

Highway 191 North, Parcel D  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

Land for Highway known as Project Number F-7 situated in the W  $\frac{1}{2}$  NE  $\frac{1}{4}$  of Section 25, T33S, R23E, S.L.M. The boundaries of said tract of land are described as follows:

Beginning at the SW corner of said grantor's land which point is approximately 1,652 feet south and approximately 1,683 feet west from the NE corner of said Section 25; thence northeasterly 28 feet, more or less, along the southerly boundary line of said grantor's land to a point 49.5 feet perpendicularly distant easterly from the center line of survey of said project; thence north  $0^{\circ}05'$  west 185.0 feet; thence north  $8^{\circ}13'$  east 496.1 feet to a point 100 feet radially distant easterly from said center line of survey at Engineer's State 44+17; thence northeasterly 744.1 feet along the arc of a 3,719.8 foot radius curve to the right to a point of curve to spiral (Note: Tangent to said curve at its point of beginning bears north  $6^{\circ}05'$  east); thence northeasterly 3.0 feet along the arc of a spiral which is concentric with and 100 feet radially distant southeasterly from a 160-foot ten chord spiral (of a  $1^{\circ}30'$  curve to the right) to a point on the northerly line of the corporate limits of Monticello, Utah, and recorded as Entry Number 1G-05703, San Juan County, Utah, at approximately Mile Post 72.98 of Highway 191; thence along said corporate limits westerly, 209.3 feet to a point 200 feet radially distant northwesterly from the 3,719.8-foot radius curve to the west boundary line of said grantor's land; thence south 1,237.7 feet, more or less, along said west boundary line, to the point of beginning.



Highway 191 North, Parcel E  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

Land for Highway known as Project Number F-7 situated in the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 25, T33S, R23E, SLBM. The boundaries of said tract of land are described as follows:

Beginning at the intersection of the south boundary line of said SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 25, and the centerline of survey of said project at Engineer's Station 27+53; thence west 54 feet to a point in a fence line; thence along said fence line north  $0^{\circ}15'$  west 973.4 feet; thence continuing along said fence line north  $03^{\circ}34'$  west 222.5 feet; thence continuing along said fence line north  $01^{\circ}11'$  west 121.0 feet; thence continuing along said fence line north  $03^{\circ}42'$  west 90.5 feet; thence continuing along said fence line north  $00^{\circ}34'$  west 269.6 feet to a point on a curve being 100 feet radially distant westerly from said centerline of survey at Engineer's State 44+17; thence along said curve of central angle of  $06^{\circ}08'13''$ , radius of 3,919.8 feet, arc length of 419.8 feet, the chord of which bears north  $09^{\circ}09'26''$  east 419.64 feet; thence northeasterly 60 feet; thence southerly 1,169.7 feet; thence south  $79^{\circ}03'$  west 40 feet; thence southerly 966.3 feet to the point of beginning.

Highway 666 East, Parcel A  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

Right-of-way for highway known as F. A. Project Number 106-A fronting or across Blocks 21 to 23 inclusive and Blocks E to I inclusive, Town of Monticello, San Juan County, Utah. Said boundary of right-of-way described as follows:

Beginning at the NW corner of Block 23, Town of Monticello, San Juan County, Utah; thence, along the west line of said Block 23, south  $00^{\circ}17'$  west, 54.0 feet; thence along a curve to the right, central angle of  $90^{\circ}00'$ , radius of 54.0 feet, arc length of 84.8 feet, the chord of which bears north  $45^{\circ}17'$  east, 76.4 feet to a point on the north line of said Block 23; thence south  $89^{\circ}43'$  east, 1,513.5 feet to the NW corner of Block E; thence north  $00^{\circ}17'$  east, 69.3 feet to the NW corner of that parcel shown as Deed Number F106A-4 on the official maps of said project on file in the office of the State Road Commission of Utah; thence north  $89^{\circ}51'$  east, 98.2 feet, more or less to the NE corner of said parcel shown as Deed Number F106A-4; thence north 12.8 feet to centerline of survey of said project at Engineer's Station 17+17; thence north  $05^{\circ}43'$  west, 27.4 feet; thence south  $89^{\circ}51'$  west, 58.4 feet; thence north  $00^{\circ}17'$  east, 35.7 feet to the NE corner of Section 36, T33S, R23E, SLBM, as shown on said official maps; thence north  $00^{\circ}17'$  east, 4.7 feet; thence north  $89^{\circ}43'$  west 64.5 feet; thence south  $00^{\circ}17'$  west, 14.8 feet; thence north  $89^{\circ}43'$  west, 201.9 feet; thence south  $00^{\circ}17'$  west, 7.0 feet; thence south  $89^{\circ}28'$  west, 177.0 feet; thence north  $89^{\circ}43'$  west, 75.0 feet; thence south  $00^{\circ}17'$  west, 38.5 feet to a point on the south line of Block G, Town of Monticello; thence north  $89^{\circ}43'$  west, 29.9 feet to the SW corner of said Block G; thence north  $89^{\circ}43'$  west, 1,028.4 feet, to a point on the south line of Block I,

Town of Monticello; thence along a curve to the right, central angle of  $61^{\circ}36'$ ; radius of 52.7 feet, arc length of 56.6 feet, the chord of which bears north  $30^{\circ}32'$  west, 53.9 feet to a point on the west line of said Block I; thence south  $00^{\circ}17'$  west, 46.3 feet to the SW corner of said Block I; thence south  $00^{\circ}17'$  west, 82.5 feet to the point of beginning.

Highway 666 East, Parcel B

DOE MVP Identification No.: None

San Juan County Assessors Office Parcel No.: A33240312400

Right-of-way for highway known as F. A. Project Number 106-A across the grantor's land in the N  $\frac{1}{2}$  NW  $\frac{1}{4}$  of Section 31, T33S, R24E, S.L.M. Said right-of-way is contained within a parcel of land 40 feet wide, 40 feet on each side of the center line of survey of said project. Said center line is described as follows:

Beginning at the intersection of the west boundary line produced of said grantor's land and said center line of survey at Engineer's Station 17+17, which point is 64.2 feet south and 61.3 feet north  $84^{\circ}17'$  east along said center line of survey, from the NW corner of said Section 31; thence north  $84^{\circ}17'$  east 2.3 feet, to a point of tangency with a  $1^{\circ}00'$  curve to the right; thence easterly 556.7 feet along the arc of said curve, to Engineer's Station 22+76.0 back which equals 22+78.6 ahead; thence north  $89^{\circ}51'$  east 748.4 feet to the intersection of said center line of survey at Engineer's Station 30+27 and the east boundary line produced of said grantor's land, which point is 31 feet south and 1,369.5 feet north  $89^{\circ}51'$  east from said NW corner of Section 31, as shown on the official map of said project on file in the office of the State Road Commission of Utah. Above described parcel of land contains 1.20 acres, of which 1.10 acres are now occupied by the existing highway. Balance 0.10 acre.

Highway 666 East, Parcel C

DOE MVP Identification No.: None

San Juan County Assessors Office Parcel No.: None

Right-of-way for highway known as F. A. Project Number 106-A across the grantor's land in Block "E", Monticello City Survey, in the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 36, T33S, R23E, S.L.M. and the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 31, T33S, R24E, S. L. M. Said right-of-way is a parcel of land on the southerly side of the center line of survey of said project, the boundaries of which are described as follows:

Beginning at the NW corner of said Block "E"; thence east to the NE corner of said Block "E" thence south 27 feet, more or less, to a point 40 feet perpendicularly distant southerly from said center line of survey; thence south  $84^{\circ}17'$  west to the west boundary line of said Block "E"; thence north 37 feet, more or less, to the point of beginning as shown on the official map of said project on file in the office of the State Road Commission of Utah. Above described parcel of land contains 0.07 acre, more or less.

Highway 666 East, Parcel D  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

Right-of-way for highway known as F. A. Project Number 106-A across Sections 30 and 31, T33S, R24E, SLBM, San Juan County Utah. Said right-of-way is contained within a parcel of land 40 feet wide, 40 feet on the north side of a tangent to centerline and the center line of survey of said project. Said tangent to centerline and centerline are described as follows:

Beginning at a point on said tangent to centerline which point is 31 feet south from the SW corner of said Section 30; thence along said tangent north  $89^{\circ}51'$  east 619.0 feet to a point of tangency with a  $01^{\circ}00'$  curve at Engineer's Station 22+76.0 back which equals 22+78.6 ahead; thence north  $89^{\circ}51'$  east 4,667.4 feet along said centerline of survey to Engineer's Station 69+46 which point is 7.3 feet south from the southeast corner of said Section 30.

Highway 666 East, Parcel E  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

Right-of-way for highway known as F. A. Project Number 106-A across the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of Section 31, T33S, R24E, SLBM, San Juan County Utah. Said right-of-way is contained within a parcel of land 40 feet wide, 40 feet on the south side of centerline of survey of said project. Said centerline described as follows:

Beginning at a point on said centerline of survey at Engineer's Station 30+27 which point is 31 feet south and 1,367.4 feet north  $89^{\circ}51'$  east from the northwest corner of Section 31; thence north  $89^{\circ}51'$  east, 3,919 feet to the intersection of said centerline of survey at Engineer's Station 69+46 and the easterly boundary line of said Section 31 which point is approximately 7.3 feet south of the northeast corner of said Section 31.

Highway 666 East, Parcel F  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

Right-of-way for highway known as F. A. Project Number 106-A across the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  and a portion of the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 29, T33S, R24E, SLBM, San Juan County Utah. Said right-of-way is contained within a parcel of land 40 feet wide, 40 feet on the north side of centerline of survey of said project. Said centerline is described as follows:

Beginning at a point on said centerline of survey at Engineer's Station 69+46 which point is approximately 7.3 feet south from the southwest corner of said Section 29; thence north  $89^{\circ}51'$  east 1,984.7 feet, more or less, to the intersection of said centerline of survey at Engineer's Station 89+30.7 and an easterly boundary line of the corporate limits of Monticello City, Utah,

which point is approximately 13.4 feet north and approximately 3,299.3 feet south 89°51' west along said centerline of survey from the southeast corner of said Section 29 at Engineer's Station 122+30.

Highway 666 East, Parcel G  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

Right-of-way for highway known as F. A. Project Number 106-A across the NW ¼ NW ¼ of Section 32, T33S, R24E, SLBM, San Juan County Utah. Said right-of-way is contained within a parcel of land 40 feet wide, 40 feet on the south side of center line of survey of said project. Said centerline is described as follows:

Beginning at the intersection of the west boundary line produced of said NW ¼ NW ¼ and said centerline of survey at Engineer's Station 69+46, which point is approximately 7.3 feet south from the northwest corner of said Section 32; thence north 89°51' east, 1,329 feet, more or less, to the intersection of said centerline of survey at Engineer's Station 82+75 and the east boundary line produced of said NW ¼ NW ¼, which point is approximately 13.4 feet north and approximately 3,955.0 feet south 89°51' west along said centerline of survey from the northeast corner of said Section 32 at Engineer's Station 122+30.

Highway 666 East, Parcel H  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

Right-of-way for highway known as F. A. Project Number 106-A across a portion of the NE ¼ NW ¼ of Section 32, T.33S, R.24E, SLBM, San Juan County Utah. Said right-of-way is contained within a parcel of land 100 feet wide, 100 feet on the south side of centerline of survey of said project. Said centerline is described as follows:

Beginning at the intersection of the west boundary line produced of said NE ¼ NW ¼ and said centerline of survey at Engineer's Station 82+75, which point is approximately 7.3 feet south and approximately 1,329 feet north 89°51' east along said centerline of survey from the northwest corner of said Section 32 at Engineer's Station 69+46; thence north 89°51' east 655.7 feet, more or less, to the intersection of said centerline of survey at Engineer's Station 89+30.7 and the easterly boundary line of the corporate limits of Monticello City, Utah, at approximately Mile Post 1.7 of Highway 666, which point is approximately 13.4 feet north and approximately 3,299.3 feet south 89°51' west along said centerline of survey from the northeast corner of said Section 32 at Engineer's Station 122+30.

Highway 191 South, Parcel A  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

A parcel of land for Highway 191 right-of-way (also known as South Main Street, Monticello, Utah) within the NE ¼ of Section 36, T33S, R23E, Salt Lake Base and Meridian, San Juan County, Utah; said parcel described as follows: beginning at a found 2-foot diameter concrete base with a broken 2-inch diameter pipe on the easterly right-of-way line of F. A. S. Project Number 141-E near Engineer's Station 25+41; thence north 89°39' west, 124.9 feet; thence north 0°49' east, 2,539.5 feet to the northeast corner of Block 24, Monticello Townsite; thence north 0°49' east, 41.25 feet; thence south 89°11' east 99.0 feet; thence south 0°49' west, 41.25 feet to the NW corner of Block 23, Monticello Townsite; thence south 0°49' west, 2,298.9 feet; thence south 04°47' east, 160.0 feet; thence along a curve to the left, central angle of 03°21', radius of 1,382.4 feet, arch length of 80.8 feet, the chord of which bears south 06°28' east, 80.8 feet to the point of beginning.

Highway 191 South, Parcel B

DOE MVP Identification No.: MS-00890-OT

San Juan County Assessors Office Parcel No.: A33230367804

DOE MVP Identification No.: MS-00892-OT

San Juan County Assessors Office Parcel No.: A33230367202

DOE MVP Identification No.: MS-00895-OT

San Juan County Assessors Office Parcel No.: A33230367811

DOE MVP Identification No.: MS-01021-OT

San Juan County Assessors Office Parcel No.: A33230367812

A parcel of land for Highway 191 right-of-way withing the NW ¼ SE ¼ and the NE ¼ SE ¼ of Section 36, T33S, R23E, Salt Lake Base and Meridian, San Juan County, Utah; said parcel described as follows:

Beginning at a found right-of-way monument at Engineer's Station 42+55.6, on the easterly right-of-way line of Project Number S-0402(B), being the southeasterly corner of that parcel described in Book 498, Page 256, San Juan County Records; from whence a found right-of-way monument at Engineer's Station 37+00, also on the easterly right-of-way line of Project Number S-0402(B), bears north 47°18' west, 557.1 feet with all bearings contained herein referenced thereto; thence along the following seventeen (17) courses:

1) thence north 89°59' west, 312.3 feet to a point on the westerly right-of-way of said Project Number S-0402(B), being the southwesterly corner of said parcel described in Book 498, Page 256.

2) thence north 43°55' west, 48.8 feet to the southerly corner of that parcel described in Book 499, Page 631-635, San Juan County Records;

3) thence north 39°37' west, 485.0 feet to a found right-of-way monument at Engineer's Station 35+06.9, being on the westerly line of that parcel described in Book 499, Page 630, San Juan County Records;

- 4) thence north  $39^{\circ}43'$  west, 229.0 feet to the northwesterly corner of that parcel described in Book 499, Page 30, San Juan County Records;
- 5) thence north  $28^{\circ}49'$  west, 144.0 feet;
- 6) thence north  $08^{\circ}06'$  west, 79.8 feet to a found right-of-way monument at Engineer's Station 30+77.44 at the northerly corner of that parcel described in Book 498, Page 244, San Juan County Records;
- 7) thence along a "best fit" arc of a non-tangent curve to the right, radius of 1,275.2 feet, central angle of  $06^{\circ}14'$ , arc length of 138.7 feet, the chord of which bears north  $23^{\circ}54'$  west, 138.7 feet; to the northeasterly corner of that parcel described in Book F1, Page 281, San Juan County Records;
- 8) thence west, 160.5 feet to a point on the west side of the southerly extension of South Main Street;
- 9) thence north  $00^{\circ}49'$  east, 396.8 feet;
- 10) thence south  $89^{\circ}39'$  east, 124.9 feet to a found 2-foot diameter concrete base with a broken 2-inch diameter pipe on the easterly right-of-way line of F. A. S. Project Number 141-E near Engineer's Station 25+41;
- 11) thence along an arc of a non-tangent curve to the left, radius of 1,382.4 feet, central angle of  $12^{\circ}34'$ , arc length of 303.2 feet, the chord of which bears south  $14^{\circ}26'$  east, 302.7 feet; to a found right-of-way monument on the easterly line of F. A. S. Project Number 141-E near Engineer's Station 28+65;
- 12) thence continuing along an arc of a curve to the left, radius of 1,382.4 feet, central angle of  $01^{\circ}01'$ , arc length of 24.5 feet, the chord of which bears south  $21^{\circ}31'$  east, 24.5 feet;
- 13) thence east, 8.7 feet to a found right-of-way monument on the easterly line of said Project Number S-0402(B) at Engineer's Station 28+90;
- 14) thence along a "best fit" non-tangent curve to the left, radius of 1,382.4 feet, central angle of  $17^{\circ}02'$ , arc length of 411.0 feet, the chord of which bears south  $30^{\circ}44'$  east, 409.5 feet;
- 15) thence along a 50-foot off-set from centerline ten-chord spiral more or less following the arc of a non-tangent curve to the left, radius of 3,444.2 feet, central angle of  $06^{\circ}10'$ , arc length of 370.7 feet, the chord of which bears south  $43^{\circ}52'$  east, 370.5 feet, to said found right-of-way monument at Engineer's Station 37+00;
- 16) thence south  $50^{\circ}12'$  east, 302.2 feet;

17) thence south  $43^{\circ}53'$  east, 255.8 feet to the point of beginning.

Highway 191 South, Parcel C

DOE MVP Identification No.: MS-01020-OT

San Juan County Assessors Office Parcel No.: A33230369001

Right-of-way for highway known as F.A.S. Project No. 141-E in the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 36, T33S, R23E, Salt Lake Base Meridian; said right-of-way being 100 feet wide, 50 feet on each side of the centerline. Said centerline described as follows: Beginning at the intersection of the north line of said SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 36 with the centerline, which point is west, 816.6 feet, more or less, from the NE corner of said SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  Section 36, thence south  $45^{\circ}43'$  east, 299 feet.

And also: Right-of-way for highway known as F.A.S. Project No. 141-E across the grantor's land in the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 36, T.33S, R.23E, Salt Lake Base and Meridian. Said right-of-way is contained within a parcel of land 100 feet wide, 50 feet on each side of the center line of survey of said project. Said center line is described as follows: beginning at the intersection of the northerly boundary line of said grantor's land and said center line of survey at Engineer's Station 44+85, which point is 1,009 feet north and 601 feet west from the SE corner of said Section 36; thence south  $45^{\circ}43'$  east 165.8 feet to a point of tangency with a  $4^{\circ}00'$  curve to the right; thence southerly along the arc of said  $4^{\circ}00'$  curve to the right, a distance of 1,110.5 feet to the intersection of said center line of survey at Engineer's Station 57+61.3 and the boundary line of said grantor's land, which point is 50.7 feet west from said SE corner of Section 36, as shown on the official map of said project on file in the office of the State Road Commission of Utah.

(Note: the following description is for DOE I.D. No. MS-00886-VL, a portion of the State Highway right-of-way.) A parcel of land in fee for a highway known as Project No. 0402, being part of an entire tract of property in the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 36, T.33S, R.23E, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows: beginning on the north boundary line of said entire tract at a point which is approximately 745 feet west from the NE corner of said SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , said point also being 99.47 feet perpendicularly distant northeasterly from the center line of said project at Engineer Station 42+40.7; thence east 21.5 feet; thence south  $43^{\circ}53'$  east 114.4 feet; thence south  $32^{\circ}39'11''$  east 50.36 feet to a point on the existing right-of-way line, which is 108.6 feet radially distant northeasterly from the center line of said project at Engineer Station 44+14.09; thence north  $45^{\circ}43'$  east 178.8 feet, more or less, to the point of beginning as shown on the official map of said project on file in the office of the Sate Road Commission of Utah. The above described parcel of land contains .04 acre, more or less.

And also, a parcel of land in fee for a highway known as Project No. 0402, being part of an entire tract of property, in the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 36, T.33S, R.23E, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows: beginning at the intersection of the southwesterly right-of-way line of an existing highway known as U-163 and the north line of

said SE ¼ SE ¼ at a point approximately 430 feet east from the NW corner of said SE ¼ SE ¼; thence southeasterly and southerly 1,591 feet, more or less, along said southwesterly right-of-way line to the south line of said SE ¼ SE ¼; thence westerly 141.81 feet along said south line to a point 142.6 feet radially distant westerly from the centerline of said project at Engineer Station 56+59.54; thence north 16°53'19" west 152.2 feet, more or less, to a point 140 feet radially distant westerly from the center line of said project; thence north 22°41'54" west 476.51 feet, more or less, to a point 125 feet radially distant southwesterly from the center line of said project; thence north 26°24'58" west 336.6 feet, more or less, to a point 86.5 feet radially distant westerly from the center line of said project; thence north 43°53' west 600.8 feet, more or less, to the north line of said entire tract at a point 110 feet perpendicularly distant southwesterly from the center line of said project at Engineer Station 40+39.2; thence easterly 147.4 feet, more or less, to the point of beginning as shown on the official map of said project on file in the office of the State Road Commission of Utah.

Excepting therefrom: beginning at the SE corner of Section 36, T.33S, R.23E, Salt Lake Base and Meridian, said point also being 90.5 feet, radially distant easterly from the centerline of Highway Project No. S-0402(8) at Engineer Station 57+25.80; thence west 10.5 feet, more or less, along the south line of said Section 36 to a point 80.0 feet radially distant easterly from the centerline of said highway project at Engineer Station 57+23.06; thence northwesterly 743.25 feet, along the arc of a 2,944.80-foot radius curve to the left (NOTE: Tangent to said curve at its point of beginning bears north 15°09'32" west); thence north 32°39'11.3" west 604.19 feet, more or less, to a point 108.6 feet, radially distance northeasterly from the centerline of said highway project at Engineer Station 44+14.09; thence south 45°43' east 238.21 feet, to a point of tangency with a 1,482.395 foot radius curve to the right; thence southeasterly and southerly 1,154.13 feet, more or less, along the arc of said curve to the point of beginning.

Highway 191 South, Parcel D

DOE MVP Identification No.: None

San Juan County Assessors Office Parcel No.: portion of 33S23E01001

A parcel of land within the corporate limits of Monticello, San Juan County, Utah (said corporate limits recorded September 4, 1981, as entry No. 1G-05703, San Juan County Records) and said parcel being also a portion of that Project Number 0402 right-of-way (aka Highway 191) as recorded in Book 527, Page 14-16, San Juan County Records, Said parcel described as follows:

Beginning at the NE corner of Section 1, T34S, R23E, SLBM, San Juan County, Utah; thence westerly, 241.81 feet, more or less, along the north line of said Section 1 to a point 142.6 feet radially distant westerly from the centerline of said Project Number 0402 at Engineer Station 56+59.54; thence south 16°53'19" east, 324.63 feet; thence south 05°53'16" east, 103.68 feet, more or less, to a point on the southerly line of said corporate limits of Monticello; thence south 89°47'20" east, 136.86 feet to a point on the east line of said Section 1 being also a point 11.32 feet radially distant easterly from the centerline of said Project Number 0402 at



Engineer's Station 61+25.96; thence north 414.3 feet along the east line of said Section 1 to the point of beginning.

Highway 191 South, Parcel E  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

A parcel land in fee for a highway know as Project Number 0402, being part of an entire tract of property, in Lot 4 of Section 6, T34S, R24E, S.L.B.&M. The boundaries of said parcel land are described as follows:

Beginning on the west boundary line of said entire tract at a point which is approximately 41.69 feet south from the NW corner of said entire tract, said point also being 80.0 feet radially distant easterly from the center line of said project at Engineer station 57+65.25; thence south 166.31 feet along said west boundary line to the SW corner of said entire tract; thence east 37.14 feet to a point which is 80.0 feet radially distant easterly from the center line of said project at Engineer Station 59+31.01; thence northerly 170.39 feet along the arc of a 2,944.8-foot radius curve to the left to the point of beginning (Note: Tangent to said curve at its point of beginning bears north 10°51'59.4" west) as shown on the official map of said project on file in the office of the State Road Commission of Utah. The above described parcel of land contains 0.07 acre, more or less.

Highway 191 South, Parcel F  
DOE MVP Identification No.: None  
San Juan County Assessors Office Parcel No.: None

A parcel of land within the corporate limits of Monticello, San Juan County, Utah (said corporate limits recorded September 4, 1981, as entry number 1G-05703, San Juan County Records) and said parcel being also a portion of that Project Number 0402 right-of-way (aka Highway 191) as recorded in Book 521, Pages 192-194, San Juan County Records. Said parcel described as follows:

Beginning at the NW corner of Section 6, T34S, R24E, SLBM, San Juan County, Utah; thence south 208.0 feet along the west line of said Section 6 to the true point of beginning being a point approximately 43.5 feet radially distant easterly from the centerline of said Project Number 0402 at Engineer Station 59+24.11; thence continuing south 206.26 feet, more or less, to a point on the southerly line of said corporate limits of Monticello, at approximately Mile Post 70.84 of Highway 191, and being also a point 11.32 feet radially distant easterly from the centerline of said Project Number 0402 at Engineer Station 61+25.96; thence along said corporate limits of Monticello, south 89°47'20" east 69.20 feet to a point on the easterly right-of-way of said Project Number 0402; thence along an arc of a curve to the left, central angle of 04°04'02", radius of 2,944.8 feet, length of 209.04 feet, the chord of which bears north 08°49'31" west, 209.00 feet to the true point of beginning.